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16 Attorneys for Plaintiff Osabemi-Ye Adedapoidle-Tyehimba

17 **UNITED STATES DISTRICT COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

19 OSABEMI-YE ADEDAPOIDLE-TYEHIMBA,  
20 individually, and on behalf of all others similarly  
situated,

21 Plaintiff,

22 vs.

23 CRUNCH LLC, a Delaware limited liability  
company; NEW EVOLUTION VENTURES,  
LLC, a Delaware limited liability company; and  
NEW EVOLUTION FITNESS COMPANY,  
LCC, a Delaware limited liability company; and  
DOES 1-100, inclusive,

24  
25 Defendants.

26 CASE NO. CV 13-00225 SI

27 The Honorable Susan Illston

28 **STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE AND  
HEARING OF DEFENDANTS' MOTION  
TO STAY AND MOTION TO  
DISMISS/STRIKE PLAINTIFF'S FIRST  
AMENDED COMPLAINT**

Date: April 26, 2013  
Time: 9:00 a.m.  
Place: Courtroom 10

**Proposed Date: May 10, 2013**

29 STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND HEARING OF  
MOTION TO STAY AND MOTION TO DISMISS/STRIKE FIRST AMENDED COMPLAINT

1 WHEREAS, the Case Management Conference and hearing of Defendant Crunch LLCs' Motion  
2 to Stay and Defendants' Motion to Dismiss/Strike Plaintiff's First Amended Complaint was continued  
3 on the Court's own motion from April 19, 2013 to April 26, 2013; and

4 WHEREAS, the parties have a conflict on April 26, 2012 and other available Court dates prior to  
5 May 10, 2013 and cannot attend the Case Management Conference and hearing in person or  
6 telephonically, and the Court has confirmed that it is available on May 10, 2013 at 9:00 a.m.;

7 IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their  
8 respective counsel, that, with approval of the Court, the hearing date for the Case Management  
9 Conference and hearing of Defendant Crunch LLCs' Motion to Stay and Defendants' Motion to  
10 Dismiss/Strike Plaintiff's First Amended Complaint is continued from April 26, 2013 to May 10, 2013  
11 at 9:00 a.m.

12

13 DATED: April 15, 2013

HUNT ORTMANN PALFFY NIEVES DARLING &  
MAH INC.

15 By \_\_\_\_\_  
16

Katherine J. Odenbreit  
Alison C. Gibbs  
Attorneys for Plaintiff Osabemi-Ye Adedapoidle-  
Tyehimba

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20 DATED: April 15, 2013

GREENBERG TRAURIG, LLP

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22 By \_\_\_\_\_  
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Mark D. Kemple  
Ashley M. Farrell  
Attorneys for Defendants Crunch LLC, New Evolution  
Ventures, LLC and New Evolution Fitness, LLC

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STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND HEARING OF  
MOTION TO STAY AND MOTION TO DISMISS/STRIKE FIRST AMENDED COMPLAINT

## ORDER

Pursuant to the above Stipulation by the parties, the Case Management Conference and hearing on Defendant Crunch LLCs' Motion to Stay and Defendants' Motion to Dismiss/Strike Plaintiff's First Amended Complaint is continued from April 26, 2013 to May 10, 2013 at 9:00 a.m. in Courtroom 10.

The initial case management conference will be set 5/10/13 at 2:30 p.m.

Dated, 4/16, 2013

*Susan Illston*  
THE HONORABLE SUSAN ILLSTON